

**RECEIVED  
CENTRAL FAX CENTER  
APR 16 2007**

Modified PTO/SB/21 (09-04)  
OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number Of Pages In This Submission

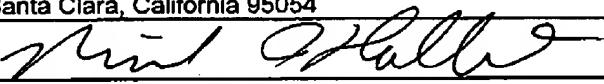
7

Complete if Known	
Application Number	09/458,123
Filing Date	December 8, 1999
First Named Inventor	Blaine R. Spady
Examiner Name:	Gordon Stock
Group Art Unit	2877
Attorney Docket No.:	NAN035 US

### ENCLOSURES (check all that apply)

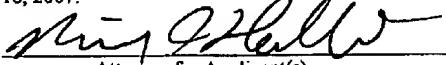
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached (PTO-2038)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (6 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
The commissioner is hereby authorized to charge any necessary fees to deposit account 50-2263.		

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
Signature	
Date	April 16, 2007

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 671-273-8300 on April 16, 2007.

  
\_\_\_\_\_  
Attorney for Applicant(s)

4-16-07  
\_\_\_\_\_  
Date of Signature

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

RECEIVED  
CENTRAL FAX CENTER

APR 16 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Blaine R. Spady; John D. Heaton; Robert Buchanan; Richard A. Yarussi		
Assignee:	Nanometrics Incorporated		
Title:	Metrology/Inspection Positioning System		
Serial No.:	09/458,123	Filing Date:	December 8, 1999
Examiner:	Gordon Stock	Group Art Unit:	2877
Docket No.:	NAN035 US	Confirmation No.:	8470

Santa Clara, California  
April 16, 2007

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This Response to Office Action is responsive to the February 12, 2007, Office Action, which has a statutorily shortened period for response that ends May 12, 2007. Please enter the following amendments before taking action on the merits of the above-referenced application.

SILICON VALLEY  
PATENT GROUP LLP  
2350 Mission College Blvd.  
Suite 360  
Santa Clara, CA 95054  
(408) 982-8200  
FAX (408) 982-8210